

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JLM COUTURE, INC.,

Plaintiff,

-v-

HAYLEY PAIGE GUTMAN and CONRAD LOUIS
CLEVLEN,

Defendants.

CIVIL ACTION NO. 20 Civ. 10575 (LTS) (SLC)

ORDER

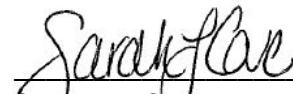
SARAH L. CAVE, United States Magistrate Judge.

Before the Court are the motions of (i) Defendants; (ii) Defendants' counsel, Haynes and Boone, LLP; (iii) non-party Donna Gutman ("Ms. Gutman"); and (iv) non-party She Is Cheval LLC ("Cheval") (ECF Nos. 441, 445, 448, 455 (the "Motions")), seeking to quash information subpoenas issued by Plaintiff in aid of execution of the Court's January 5, 2023 judgment (the "Judgment") (ECF No. 417). Today, September 26, 2023, the Court held a conference (the "Conference") to discuss the Motions, at which counsel for Plaintiff, Defendants, Ms. Gutman, and Cheval appeared.

As the Court set forth on the record at the Conference, the Motions are GRANTED and the information subpoenas in aid of execution are QUASHED. The Judgment is nonfinal, as Chief Judge Swain explained in her denial of Defendant Gutman's motion for reconsideration. (ECF No. 437 at 2 n. 1). Nonfinal judgments may not be ordinarily be enforced via writs of execution, see Fed. R. Civ. P. 54(b); 69(a); see also Int'l Controls Corp. v. Vesco, 535 F.2d 742, 745 (2d Cir. 1976), and Plaintiff has failed to provide authority justifying the issuance of information subpoenas in aid of execution where execution is not yet permitted under the Federal Rules of Civil Procedure.

Dated: New York, New York
September 26, 2023

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge